

REMARKS

Initially, Applicant acknowledges, with appreciation, the indication that claim 16 is allowed and that claim 20 would be allowable if rewritten in independent form. Applicant also appreciates the courtesy extended by the Examiner in holding an in person interview at the Patent Office as reflected in the Interview Summary Record of October 2, 2003.

Claims 10-20 are currently pending in the application, claims 1-9 have been cancelled without prejudice or disclaimer thereto. Claim 16 has been indicated as allowed. Accordingly, claims 10-15 and 17-20 are currently under consideration.

Claims 10, 13-14, 17-20 have been amended. In particular, claims 10 and 19 have been amended to recite a method of growing a carbon fiber and to clarify that the magnetic field applied near the catalyst bed during the formation of the carbon fiber is to substantially confine the catalyst to the bed. Adequate written descriptive support for these amendments should be apparent from the detailed specification. For example, on page 6, lines 9-20, of the specification, Applicant describes an embodiment where an elongated carbonaceous structure can be formed by contacting the structure with a magnet to confine the catalyst during the process whereby contamination of the product by the catalyst is substantially reduced. As understood from the detailed specification, the confinement of the catalyst to the catalyst bed is greater with a magnet than if the magnet were not present. As also understood from the specification (page 5, beginning at line 26) a carbon fiber is an elongated carbonaceous article and is described as being synonymous with carbon filaments, carbon whiskers, carbon nanofibers, carbon fibrils as these terms are used interchangeably in the art. The form of the fiber can be any

morphology and the inner core of these articles can be solid, hollow or can contain carbon atoms that are less ordered than the outer region. As is also understood from the specification, a catalyst bed is a supported catalyst. (Specification pages 7 and 9.)

The remaining amended claims were changed to conform to independent claims 10 and 19. Accordingly, it is respectfully submitted that no new matter issues are raised by these amendments.

Claims 10-15 and 17-19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Resasco (U.S. 6,333,016) in view of Xu (U.S. 5,973,444). The rejection is traversed and it is respectfully submitted that the identified claims are patentable within the meaning of 35 U.S.C. 103(a).

Independent claims 10 and 19 relate to a method of growing a carbon-based fiber by applying a magnetic field near a catalyst bed to substantially confine the catalyst to the bed and separating the formed fiber from the catalyst bed. The combination of Resasco and Xu do not negate the patentability of the claimed subject matter. The combination of Resasco and Xu do not teach or suggest a method of growing a fiber with a magnetic field to substantially confine the catalyst to the bed and then separating the formed fiber from the catalyst bed, let alone independent claims 10 and 19. Accordingly, it is respectfully submitted that the claims in the application are patentable within the meaning of 35 U.S.C. 103(a). Favorable consideration and allowance of the application are respectfully solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this

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paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "Daniel Bucca".

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